

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4259

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IN THE SENATE OF THE UNITED STATES

OCTOBER 11 (legislative day, SEPTEMBER 22), 2000

Received

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## AN ACT

To require the Secretary of the Treasury to mint coins in commemoration of the National Museum of the American Indian of the Smithsonian Institution, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Museum of  
3 the American Indian Commemorative Coin Act of 2000”,  
4 or the “American Buffalo Coin Commemorative Coin Act  
5 of 2000”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The Smithsonian Institution was established  
9 in 1846, with funds bequeathed to the United States  
10 by James Smithson for the “increase and diffusion  
11 of knowledge”.

12 (2) Once established, the Smithsonian Institu-  
13 tion became an important part of the process of de-  
14 veloping the United States national identity, an on-  
15 going role which continues today.

16 (3) The Smithsonian Institution, which is now  
17 the world’s largest museum complex, including 16  
18 museums, 4 research centers, and the National Zoo,  
19 is visited by millions of Americans and people from  
20 all over the world each year.

21 (4) The National Museum of the American In-  
22 dian of the Smithsonian Institution (hereafter re-  
23 ferred to in this section as the “NMAI”) was estab-  
24 lished by an Act of Congress in 1989, in Public Law  
25 101–185.

1           (5) The purpose of the NMAI, as established by  
2 Congress, is to—

3           (A) advance the study of Native Ameri-  
4 cians, including the study of language, lit-  
5 erature, history, art, anthropology, and life;

6           (B) collect, preserve, and exhibit Native  
7 American objects of artistic, historical, literary,  
8 anthropological, and scientific interest; and

9           (C) provide for Native American research  
10 and study programs.

11          (6) The NMAI works in cooperation with Na-  
12 tive Americans and oversees a collection that spans  
13 more than 10,000 years of American history.

14          (7) It is fitting that the NMAI will be located  
15 in a place of honor near the United States Capitol,  
16 and on the National Mall.

17          (8) Thousands of Americans, including many  
18 American Indians, came from all over the Nation to  
19 witness the ground-breaking ceremony for the NMAI  
20 on September 28, 1999.

21          (9) The NMAI is scheduled to open in the sum-  
22 mer of 2002.

23          (10) The original 5-cent buffalo nickel, as de-  
24 signed by James Earle Fraser and minted from  
25 1913 through 1938, which portrays a profile rep-

1       resentation of a Native American on the obverse side  
2       and a representation of an American buffalo on the  
3       reverse side, is a distinctive and appropriate model  
4       for a coin to commemorate the NMAI.

5           (11) The surcharge proceeds from the sale of a  
6       commemorative coin, which would have no net cost  
7       to the taxpayers, would raise valuable funding for  
8       the opening of the NMAI and help to supplement  
9       the endowment and educational outreach funds of  
10      the NMAI.

11 **SEC. 3. COIN SPECIFICATIONS.**

12      (a) \$1 SILVER COINS.—In commemoration of the  
13 opening of the Museum of the American Indian of the  
14 Smithsonian Institution, the Secretary of the Treasury  
15 (hereafter in this Act referred to as the “Secretary”) shall  
16 mint and issue not more than 500,000 \$1 coins, each of  
17 which shall—

18           (1) weigh 26.73 grams;

19           (2) have a diameter of 1.500 inches; and

20           (3) contain 90 percent silver and 10 percent  
21      copper.

22      (b) LEGAL TENDER.—The coins minted under this  
23 Act shall be legal tender, as provided in section 5103 of  
24 title 31, United States Code.

1 **SEC. 4. SOURCES OF BULLION.**

2       The Secretary may obtain silver for minting coins  
3 under this Act from any available source, including stock-  
4 piles established under the Strategic and Critical Mate-  
5 rials Stock Piling Act.

6 **SEC. 5. DESIGN OF COINS.**

7       (a) DESIGN REQUIREMENTS.—

8           (1) IN GENERAL.—The design of the \$1 coins  
9 minted under this Act shall be based on the original  
10 5-cent buffalo nickel designed by James Earle Fra-  
11 ser and minted from 1913 through 1938. Each coin  
12 shall have on the obverse side a profile representa-  
13 tion of a Native American, and on the reverse side,  
14 a representation of an American buffalo (also known  
15 as a bison).

16           (2) DESIGNATION AND INSCRIPTIONS.—On  
17 each coin minted under this Act there shall be—

18                   (A) a designation of the value of the coin;

19                   (B) an inscription of the year “2001”; and

20                   (C) inscriptions of the words “Liberty”,

21                   “In God We Trust”, “United States of Amer-  
22                   ica”, and “E Pluribus Unum”.

23       (b) SELECTION.—The design for the coins minted  
24 under this Act shall be—

25           (1) selected by the Secretary, after consultation  
26 with the Commission of Fine Arts; and

1           (2) reviewed by the Citizens Commemorative  
2           Coin Advisory Committee.

3 **SEC. 6. ISSUANCE OF COINS.**

4           (a) **QUALITY OF COINS.**—Coins minted under this  
5 Act shall be issued in uncirculated and proof qualities.

6           (b) **MINT FACILITY.**—

7           (1) **IN GENERAL.**—Only 1 facility of the United  
8 States Mint may be used to strike any particular  
9 quality of the coins minted under this Act.

10           (2) **SENSE OF THE CONGRESS.**—It is the sense  
11 of the Congress that the United States Mint facility  
12 in Denver, Colorado should strike the coins author-  
13 ized by this Act, unless the Secretary determines  
14 that such action would be technically or cost-prohibi-  
15 tive.

16           (c) **COMMENCEMENT OF ISSUANCE.**—The Secretary  
17 may issue coins minted under this Act beginning on Janu-  
18 ary 1, 2001.

19           (d) **TERMINATION OF MINTING.**—No coins may be  
20 minted under this Act after December 31, 2001.

21 **SEC. 7. SALE OF COINS.**

22           (a) **SALE PRICE.**—The coins issued under this Act  
23 shall be sold by the Secretary at a price equal to the sum  
24 of—

25           (1) the face value of the coins;

1           (2) the surcharge required by subsection (d)  
2           with respect to such coins; and

3           (3) the cost of designing and issuing the coins  
4           (including labor, materials, dies, use of machinery,  
5           overhead expenses, marketing, and shipping).

6           (b) BULK SALES.—The Secretary shall make bulk  
7           sales of the coins issued under this Act at a reasonable  
8           discount.

9           (c) PREPAID ORDERS.—

10           (1) IN GENERAL.—The Secretary shall accept  
11           prepaid orders for the coins minted under this Act  
12           before the issuance of such coins.

13           (2) DISCOUNT.—Sale prices with respect to pre-  
14           paid orders under paragraph (1) shall be at a rea-  
15           sonable discount.

16           (d) SURCHARGES.—All sales of coins minted under  
17           this Act shall include a surcharge of \$10 per coin.

18   **SEC. 8. DISTRIBUTION OF SURCHARGES.**

19           (a) IN GENERAL.—Subject to section 5134(f) of title  
20           31, United States Code, the proceeds from the surcharges  
21           received by the Secretary from the sale of coins issued  
22           under this Act shall be paid promptly by the Secretary  
23           to the National Museum of the American Indian of the  
24           Smithsonian Institution for the purposes of—

1           (1) commemorating the opening of the National  
2           Museum of the American Indian; and

3           (2) supplementing the endowment and edu-  
4           cational outreach funds of the Museum of the Amer-  
5           ican Indian.

6           (b) AUDITS.—The National Museum of the American  
7           Indian shall be subject to the audit requirements of section  
8           5134(f)(2) of title 31, United States Code, with regard  
9           to the amounts received by the museum under subsection  
10          (a).

11          **SEC. 9. FINANCIAL ASSURANCES.**

12          (a) NO NET COST TO THE GOVERNMENT.—The Sec-  
13          retary shall take such actions as may be necessary to en-  
14          sure that minting and issuing coins under this Act will  
15          not result in any net cost to the United States Govern-  
16          ment.

17          (b) PAYMENT FOR COINS.—A coin shall not be issued  
18          under this Act unless the Secretary has received—

19                  (1) full payment for the coin;

20                  (2) security satisfactory to the Secretary to in-  
21          demnify the United States for full payment; or

22                  (3) a guarantee of full payment satisfactory to  
23          the Secretary from a depository institution, the de-  
24          posits of which are insured by the Federal Deposit

1 Insurance Corporation or the National Credit Union  
2 Administration Board.

Passed the House of Representatives September 26,  
2000.

Attest:

JEFF TRANDAHL,

*Clerk.*